

<b>Form PTO-1449 Substitute</b>		<b>U.S. Department of Commerce</b>	<b>Application Number</b>	10/037,341
		<b>Patent and Trademark Office</b>	<b>Filing Date</b>	January 4, 2002
<b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)		<b>First Named Inventor</b>	David Baltimore	
		<b>Art Unit</b>	1636	
		<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723- ZA/JPW/GJG/CS	

FEB 09 2009  
U.S. PATENT & TRADEMARK OFFICE**NON PATENT LITERATURE DOCUMENTS**

Examiner Response Initials	Ref. No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	Response to October 16, 2008 Final Office Action, Summary of December 2, 2008 Examiner Interview, and Statement of Concurrent Proceedings Under 37 C.F.R. § 1.565, filed January 26, 2009 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828;	
	2	Third Declaration of Dr. Inder Verma, dated January 26, 2009;	
	3	Final Office Action issued October 16, 2008 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828;	
	4	Brief for Appellants, ARIAD, filed December 16, 2008 in the concurrent litigation captioned <i>Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al.</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2009-1023;	
	5	Joint Claim Construction Chart, filed in the concurrent litigation captioned <i>Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259(MPT);	
	6	Deposition Transcript of Randolph Wall, Ph.D., pages 149-152, in the concurrent litigation captioned <i>Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259(MPT);	
	7	ARIAD's Reply in Support of Motion to Strike Extra-Record Materials From the Joint Appendix, filed January 21, 2009 in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly and Company</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;	

**EXAMINER  
SIGNATURE****DATE CONSIDERED**

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

Applicants: David Baltimore, et al.  
Serial No.: 10/037,341  
Filed: January 4, 2002

Exhibit A to February 6, 2009  
Supplemental IDS

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	8	Lilly's Opposition to ARIAD's Motion to Strike Materials From the Joint Appendix, filed January 9, 2009 in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly and Company</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;	
	9	Motion of Plaintiffs-Appellees, ARIAD, to Strike Extra-Record Materials From the Joint Appendix, filed December 23, 2008 in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly and Company</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;	
	10	Reply Brief on Defendant-Appellant Eli Lilly and Company, filed November 12, 2008 in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly and Company</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;	
	11	Questions to the Jury on Special Verdict, dated April 28, 2006, in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly &amp; Co.</i> , U.S. District Court for the District of Massachusetts, CA No. 02-CV-11280-RWZ; and	
	12	Defendant Eli Lilly and Company's Motion in Limine to Exclude Adding Claim Limitations and Expert Testimony That Offers Construction of Claim Terms Inconsistent With the Court's Construction, filed February 24, 2006 in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly &amp; Co.</i> , U.S. District Court for the District of Massachusetts, CA No. 02-CV-11280-RWZ.	

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